

REMARKS

Claims 5-9 and 11-14 are pending.

Claim Rejections Under 35 U.S.C. §103

Claims 5-9 and 11-14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Applicant's Admitted Prior Art ("APA").

The Examiner asserts that several things are admitted to be prior art by disclosure in the background section of the application. Many of the things the Examiner asserts are admitted to be prior art are neither admitted to be prior art nor disclosed in the Background.

Contrary to the Examiner's assertion, the SD card is not discussed in the background, and nothing about the SD card is admitted to be prior art. The assertion that the SD card is in any way admitted to be prior art in the present application is highly objectionable and hereby contested. In addition to not being admitted prior art, as mentioned in the prior Response, the priority date of the present application is June 24, 1999, which is before the SD card was available or development was publicly announced. Thus, the SD card is simply not prior art, admitted or otherwise. Any admission of prior art therefore must be limited to the MMC card.

The Background does disclose that that the MMC card existed at the time of filing and has seven contacts extending across a short edge of the card. However, it is respectfully asserted that the Background does not disclose, and it is not admitted that the following are prior art: "the body of the claimed SD card is the same as the standard MMC card with additional second group of contacts which is in combination of the first contact to form a SD card contacts;" the claimed SD card receptacle has a slot dimensioned to be mechanically compatible or fit the claimed SD card;" since both the standard MMC card and the claimed SD card have the same dimension of the body structure. Therefore, the claimed SD card will be mechanically compatible or fit the slot on either standard MMC receptacle or the claimed SD receptacle." Office Action, page 2.

Based upon the asserted admissions of prior art, the Examiner appears to assert that the pending claims are obvious as a design choice absent some ambiguous "criticality." Office Action at page 3.

Whereas in the prior Office Action the Examiner relied on allegedly admitted prior art in combination with Brisson, the Examiner has dropped Brisson as a basis of rejection and relies now solely on allegedly admitted prior art.

Although each of the claims speaks for itself, claims 5-9 and 11-14 were rejected upon generally, without referring to any specific claim, upon the same basis.

Using claim 9 as an example therefore, the background of the application does not teach the recitations of claim 9, reproduced below.

9. (Previously Presented) A memory card comprising:
means for contacting the memory card in order to transfer signals between the memory card and an electronic device,
said means for contacting configured to make contact with a first device compatible for use with a first memory card having a first structural format,
said means for contacting configured to make contact with a second device compatible for use with a second memory card having a second structural format,
said first structural format being different than said second structural format.

Only one format, that of the MMC card, is disclosed in the Background of the present application.

For similar rationale, it is also submitted that the background of the present application does not teach the recitations of the following independent claims and the claims that depend therefrom:

5. (Previously Amended) A flat rectangularly shaped memory card, comprising:
two pairs of opposing parallel straight edges forming four corners wherein one of said corners includes an angled edge segment that intersects adjacent ones of the straight edges at acute angles;
a first group of rectangularly shaped recesses formed in a row extending along one of said adjacent straight edges, said group containing electrical contacts at the bottom of the recesses, said group compatible with a first type of memory card receptacle; and
a second group of one or more recesses containing one or more electrical contacts,
said first and second group of contacts together compatible with a second type of memory card receptacle.

7. (Previously Amended) A flat memory card having a rectangular shape with a cut-off corner forming an angled edge segment between two card edges and having a plurality of rectangularly shaped recesses formed in a row along one of the two card edges and opening to said one of the two card edges with electrical contacts on bottom surfaces thereof, wherein
said electrical contacts are positioned in a pattern according to a multi-media card (MMC) standard, a single electrical contact being included in each of said recesses, and
an additional recess having a contact therein is provided.

8. (Previously Amended) A flat rectangularly shaped memory card comprising:
a card body with a contact structure compatible for use in a first electronic device designed to utilize a first number of contacts of the contact structure,
said contact structure compatible for use in a second electronic device designed to use a second number of contacts of the contact structure wherein the first number is different than the second number,
said contact structure allowing said memory card to be used with the second electronic device.

9. (Previously Presented) A memory card comprising:
means for contacting the memory card in order to transfer signals between the memory card and an electronic device,
said means for contacting configured to make contact with a first device compatible for use with a first memory card having a first structural format,
said means for contacting configured to make contact with a second device compatible for use with a second memory card having a second structural format,
said first structural format being different than said second structural format.

11. (Previously Presented) A memory card comprising a contact structure compatible with both a first card format and a second card format, said first card format requiring a first number of contacts and said second card format requiring a second number of contacts differing from the first number of contacts.

14. (Previously Presented) A flat rectangularly shaped memory card of a type used for storing digital pictures, comprising:
a card body with a contact structure compatible with both MMC card receptacles and SD card receptacles.

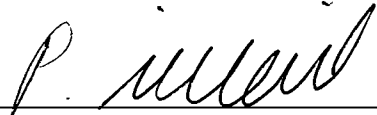
Therefore, it is respectfully asserted that claims 5-9 and 11-14 are novel and non obvious over the prior art and for that reason are in condition for allowance.

Conclusion

Accordingly, it is believed that this application is now in condition for allowance and an early indication of its allowance is solicited. However, if the Examiner has any further matters that need to be resolved, a telephone call to the undersigned at 415-591-1584 would be appreciated.

Respectfully submitted,

8/3/07
Date


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